

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/715,566	O'CONNOR, LAWRENCE J.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Sing P. Chan	1734	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to an amendment filed on April 28, 2005.
2. ☒ The allowed claim(s) is/are 1-8 and 10-16.
3. ☒ The drawings filed on 12 January 2005 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

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| <ol style="list-style-type: none"> <li>1. <input type="checkbox"/> Notice of References Cited (PTO-892)</li> <li>2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)</li> <li>3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br/>Paper No./Mail Date <u>4/28/05</u></li> <li>4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br/>of Biological Material</li> </ol> | <ol style="list-style-type: none"> <li>5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)</li> <li>6. <input type="checkbox"/> Interview Summary (PTO-413),<br/>Paper No./Mail Date _____</li> <li>7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment</li> <li>8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance</li> <li>9. <input type="checkbox"/> Other _____</li> </ol> |
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## **DETAILED ACTION**

### **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Caroline D. Dennison on June 7, 2005.

The application has been amended as follows: In claim 1, line 1, "to a board" has been deleted.

### ***Allowable Subject Matter***

2. Claims 1-8 and 10-16 are allowed.

3. The following is an examiner's statement of reasons for allowance: The claims recite a method of covering for exterior use. The method includes providing a flexible elongated strip of covering material having side edges and a fibrous layer with an integral moldable adhesive layer and a release sheet secured over the adhesive layer with the release sheet having a separable positioning guide strip located in a central region between the side edges and extending the length of the strip of the covering material, positioning the strip on a board with the edges of the covering material aligned with the edges of the board, progressively removing a length of the positioning guide strip to tack a longitudinal central portion of the elongated strip of covering material in

place by adhering the central region and leaving the side edges covered with the release sheet to allow the side edges of the elongated strip to move relative to the board, removing a length of the remaining release sheet to finally position the material and adhere the entire width of the elongated strip of covering material to the board, providing a second elongated strip of covering material, positioning the second elongated strip of covering material on another board, progressively removing a length of the positioning guide strip to tack a longitudinal central portion of the elongated strip of covering material in place by adhering the central region, and removing a length of the remaining release sheet to finally position the material and adhere the entire width of the elongated strip of covering material to the other board. O'Connor et al (WO 90/10112) discloses a method of applying carpet strips to decking planks. The method includes providing a carpet strips, applying adhesive to the underside of the strips and decking planks, and adhering the strips to the planks. (Page 7, line 7 to Page 8, line 4, Page 9, lines 10 to 14, and Page 14, lines 13-17) O'Connor et al is silent as to the adhesive is a moldable adhesive or hot melt adhesive integral with the carpet, a release sheet with a separable positioning guide strip located in a central region between the side edges and extending the length of the strip of the covering material extending the length of the strip applied to the adhesive, progressively removing a length of the positioning guide strip to adhere a longitudinal central portion of the carpet in place, and removing the remaining release sheet to adhere the entire width of the carpet. Chase (U.S. 3,893,252) discloses a method for mounting photos. The method includes providing a mounting board with an adhesive surfaces and sectioned release sheets

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with a strip at the central portion, removing the strip, positioning picture onto the mount with the release sheets, depressing the central portion of the picture onto the mount to tacking the central portion picture to the mount, which allow for adjustment and repositioning, removing the remaining release sheets section and bonding picture onto the mount. (Col 6, lines 34-68) Chase does not disclose a release sheet with a separable positioning guide strip located in a central region between the side edges and extending the length of the strip of the covering material extending the length of the strip applied to the adhesive, progressively removing a length of the positioning guide strip to adhere a longitudinal central portion of the carpet in place, and removing the remaining release sheet to adhere the entire width of the carpet. A search of the prior art of record did not disclose reference or references in combination with recited features.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sing P. Chan whose telephone number is 571-272-1225. The examiner can normally be reached on Monday-Friday 7:30AM-11:00AM and 12:00PM-4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher A. Fiorilla can be reached on 571-272-1187. The fax phone

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number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*Chan Sing B*  
spc

*ca 700*  
**CHRIS FIORELLA**  
**SUPERVISORY PATENT EXAMINER**  
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